



State of Utah  
DEPARTMENT OF NATURAL RESOURCES  
DIVISION OF OIL, GAS AND MINING

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December 9, 1998

CERTIFIED RETURN RECEIPT

P 074 976 672

Dan L. Powell  
Emery Industrial Resources  
967 South 680 West  
Payson, Utah 84651

RE: Request for Completion of Permitting, Emery Industrial Resources, Cherry Hill Park Quarry, M/049/021, Utah County, Utah

On February 27, 1998, you telefaxed the Division a letter in response to the Division's January 12, 1998 letter. Our letter required you to provide a formal submission of all available large mine permitting information which you had collected to date, and a timetable for submitting the additional permitting information that was not available. A certified copy of the letter along with a map was supposed to follow. This information has not yet been received.

Your letter stated that you planned to reclaim a substantial portion of the mine site beginning in June, 1998. Seeding of the reclaimed areas was planned for October of 1998. No additional information was provided to address the outstanding permitting issues for a large mining operation. Since we have not been notified to the contrary, we assume that the planned reclamation and reseeding work has been completed to reduce the size of the disturbed area to 5 or less acres, thereby qualifying as a small mining operation.

As a follow up to your last correspondence to us, please provide the following information:

1. An updated surface facilities and disturbed area map of the entire project area showing:
  - A boundary outlining the full extent of the previous disturbed area before any concurrent reclamation occurred.
  - The surface facility locations (e.g., quarry areas, stockpile areas, crushing and loading facilities, office, access roads, etc.).
  - The areas that were reclaimed as of October, 1998 and the areas proposed for future mining (give the approximate year that these areas will be disturbed/mined).
  - Include the disturbed area acreage figures on the map. The map scale should be included and should not be smaller than 1 inch = 200 feet (1" = 100' preferred).

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Please provide this map by January 4, 1999. Pending review of this map and a site visit next spring, the Division will make a final determination as to the status of your operation (whether it qualifies as a small mining operation, or whether it must be fully permitted and bonded as a large mining operation).

Division records indicate that you did not file your annual report for 1997. Enclosed is a blank form for you to complete. Please submit this report with the above mentioned map by January 4, 1999.

If sufficient acreage *has not been reclaimed* to reduce the disturbed acreage to less than 5 acres, then a complete Notice of Intention to Conduct Large Mining Operations must be filed with the Division no later than January 31, 1999. An *interim* reclamation surety will also need to be calculated and posted with our office to allow mining operations to continue until the large mine permit application is approved.

Please don't hesitate to call me or Lynn Kunzler at (801) 538-5286 and 538-5310, if you have any questions, or if you would like to arrange a meeting to discuss this matter further.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Wayne Hedberg". The signature is fluid and cursive, with the first name "D." and last name "Hedberg" clearly distinguishable.

D. Wayne Hedberg  
Permit Supervisor  
Minerals Regulatory Program

jb  
Enclosure: Annual Report form  
cc: Buck Rose, Utah County Planning  
Mary Ann Wright, DOGM  
m049021.let